IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 3RD DECEMBER 2007 / 12TH AGRAHAYANA 1929

WP(C).No. 18800 of 2007(K)

PETITIONER:

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1. LILLYKUTTY JOSEPH,
   HEAD NURSE, DISTRICT HEAD QUARTERS HOSPITAL,KANNUR

2. N. GEETHA,
   HEAD NURSE, DISTRICT HEAD QUARTERS HOSPITAL,KANNUR

BY ADV. SRI.P.M.PAREETH

RESPONDENTS:

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1. STATE OF KERALA,
   REPRESENTED BY PRINCIPAL SECRETARY TO GOVERNMENT,
   HEALTH AND FAMILY WELFLARE DEPARTMENT,
   GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR OF HEALTH SERVICES,
   THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No. 18800 of 2007

Dated this the 3rd December, 2007

J U D G M E N T

Petitioners who are working as Head Nurses aspire for promotion to the post of Nursing Superintendent. Apparently, the delay in considering the petitioners for promotion is on account of the delay in the finalisation of the seniority list of Staff Nurse Gr.I and Head Nurse.

In a statement filed by the 2nd respondent , as directed by this Court, it is stated that the seniority list of Staff Nurse Gr.I does not exist at present. But before preparing the seniority list of Staff Nurse Gr.I, the promotions to the post of Staff Nurse Gr.I is to be reviewed in accordance with the final seniority list of Staff Nurse Gr.II which is published on 24.12.2002. There is an assurance in the statement that effective steps have been taken to review the promotions to the post of Staff Nurse Gr.I and subsequent promotions to the post of Head Nurse. As regards the other contention in the writ petition, a prescribed format calling for the details of incumbents in the course of

finalising the seniority list is being reviewed so as to provide an additional column for entering details as to whether the incumbent had availed of Leave Without Allowances at any point of time. Statement filed by the 2nd respondent is recorded.

In the circumstances, this writ petition is disposed of directing the 2nd respondent to take adequate steps to finalise the seniority list of Staff Nurse Gr.I and Head Nurse Gr.I, as early as possible, at any rate, within a period of four months from the date of receipt of a copy of this judgment. Promotions to the post of Nursing Superintendent effected in the meanwhile will be subject to the finalisation of the seniority list in the manner aforementioned.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007